

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KAREN MCCLARNON,)
)
)
Plaintiff,)
)
vs.)
)
BOROUGH OF VANDERGRIFT, KATHY)
CHVALA, JOHN USKURAITIS, THOMAS)
HOLMES, LENNY COLLINI, JOSEPH M.)
CAPORALI, NATHAN RIGATTI,)
WILLIAM MOORE, and TIMOTHY)
TURNER,)
)
Defendants.)

2:20-CV-00779-RJC

ORDER

Before the Court is the September 20, 2022 Report and Recommendation of the Honorable Maureen P. Kelly (ECF No. 102) recommending that Plaintiff's Second Amended Complaint be dismissed for failure to prosecute. Objections to Judge Kelly's Report and Recommendation were due by October 7, 2022. No objections were filed, and the matter is now ripe for disposition.

The district court must make a *de novo* determination of those portions of the report to which objections are made. 28 U.S.C. § 636(b)(1)(C); *see also Henderson v. Carlson*, 812 F.2d 874, 877 (3d Cir.1987). This Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The district court judge may also receive further evidence or recommit the matter to the magistrate judge with instructions.

Upon review of the September 20, 2022 Report and Recommendation of the Honorable Maureen P. Kelly (ECF No. 102), as well as a review of the entire record in this matter, it is hereby ORDERED as follows:

- 1) the Report and Recommendation (ECF No. 102) is hereby ADOPTED as the Opinion of the Court;
- 2) this case is DISMISSED WITH PREJUDICE for failure to prosecute;
- 3) the Clerk of Court is hereby directed to mark this case as CLOSED.

DATED this 11th day of October, 2022.

BY THE COURT:

s/ Robert J. Colville
ROBERT J. COLVILLE
United States District Judge

Cc: Record Counsel via CM-ECF

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